

GEOFFREY A. HANSEN
Federal Public Defender
NED SMOCK
Assistant Federal Public Defender
555 - 12th Street, Suite 650
Oakland, CA 94607-3627
Telephone: (510) 637-3500
Counsel for Defendant BESHEARS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-12-00347 CW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME UNDER
v.)	THE SPEEDY TRIAL ACT
)	
KELVIN BESHEARS,)	
)	
Defendant.)	
)	

The above-captioned matter was before the court on August 21, 2012 for status conference. Defense counsel spoke with the defendant after court and the defense now agrees to an exclusion of time between August 21, 2012 and the date the defense motion to suppress will be filed, August 28, 2012. Defense counsel was appointed in this matter less than two weeks ago and is engaged in review of discovery, investigation, and legal research related to the motion to suppress. The government turned over additional discovery after court. Accordingly, the parties jointly request that this Court exclude time under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), between August 21, 2012 and August 28, 2012 for adequate preparation of counsel.

August 23, 2012

/s/

NED SMOCK
Assistant Federal Public Defender

August 23, 2012

/s/

MAUREEN ONYEAGBAKO
Special Assistant United States Attorney

1 **ORDER**

2 Based on the reasons provided in the stipulation of the parties above, the Court hereby
3 finds that the ends of justice served by the continuance requested herein outweigh the best
4 interest of the public and the defendant in a speedy trial because the failure to grant the
5 continuance would deny the counsel for the defendant the reasonable time necessary for effective
6 preparation, taking into account the exercise of due diligence. The Court makes this finding
7 because additional investigation and the research are necessary to the defense preparation of the
8 case.

9 Based on these findings, IT IS HEREBY ORDERED THAT time be excluded from
10 August 21, 2012 to August 28, 2012 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Time
11 from the filing of the defense motion on August 28, 2012 until the hearing on the motion on
12 September 24, 2012 will be excluded pursuant to 18 U.S.C. § 3161(h)(1)(D).

13 IT IS SO ORDERED.

14 8/24/2012

15 Date

16 
17 HON. CLAUDIA WILKEN
18 United States District Judge
19
20
21
22
23
24
25
26